

**RESPONSE AND AMENDMENT**

Serial Number: 09/654,025

PA0463.ap.US

Filing Date: September 1, 2000

Title: VIDEO GAMING SYSTEM WITH WILD CARD SYSTEM AND BONUS SYSTEM

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U.S. Patent No. [5,308,605] 5,308,065 describes a casino table card game where a player, after making a wager, is dealt, face-up, a hand of five cards that is placed in a player-hand area. The player also receives a solitary card, which is dealt face down in a single-card area. The player then has a chance to improve the ranking of the five-card hand by discarding up to five cards and replacing them with an equal number of new cards. After the player rearranges the five-card hand, the solitary card is turned face-up and all the cards in the player's hand that have the same face value as the solitary card are designated wild. The ranking winnings are calculated according to a statistical pay table.

**IN THE CLAIMS**

**Please amend the claims as indicated below. A clean copy of the claims in compliance with 37 CFR 1.121 appears at the end of this Amendment.**

1. (AMENDED) A method of playing a video wagering game, comprising:
  - a player placing a wager on a reel-slot-type video game having a plurality of symbol positions; displaying a plurality of randomly selected game symbols on a display, each symbol appearing in a designated symbol position;
  - upon the occurrence of a predetermined triggering event, randomly selecting between zero and fewer than a maximum number of viewable symbol positions as a wild symbol position;
  - converting each symbol displayed within each selected wild symbol position to a wild symbol; and
  - determining game outcomes based on the displayed game symbols and wild symbols in the same game event.

2. The method of claim 1, wherein the conversion of each symbol within each wild symbol position takes place one at a time.

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3. (AMENDED) The method of claim 1, wherein between one and one less than all available symbol positions are selected as wild symbol positions.

4. The method of claim 1, wherein each wild symbol is identical.

5. The method of claim 1, wherein each wild symbol morphs into a game symbol prior, after to or during the step of determining game outcomes.

6. The method of claim 1, wherein each wild symbol is wild as to all game symbols.

7. The method of claim 1 further comprising the step of awarding a prize for winning outcomes.

8. The method of claim 7, wherein the winning outcomes are awarded according to a look up table.

9. The method of claim 1, wherein the triggering event is the appearance of two wild symbols, and wherein at least one wild symbol position is converted to a wild symbol with the same appearance as the wild symbols that triggered the bonus event.

10. The method of claim 1, wherein the triggering symbol or combination of symbols comprises a symbol on both a first and fifth reel in a scatter arrangement.

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11. The method of claim 1, wherein symbol positions bearing game symbols that produce scatter pays are excluded from the random selection of wild symbol positions.

12. (AMENDED) A method of playing a video wagering game, comprising:

- a player placing a wager on a reel-slot-type video game;
- displaying a plurality of randomly selected game symbols on a display, each symbol appearing in a designated symbol position;
- upon the occurrence of a predetermined triggering event, randomly selecting at least one, and fewer than all symbol positions as [a] wild symbol positions;
- converting each symbol displayed within each selected wild symbol position to a wild symbol;
- retaining wild symbols in their respective positions and randomly distributing at least some non-wild symbols into frames in the display to perform a second gaming event; and
- determining game outcomes based on predetermined combinations of the displayed game symbols and wild symbols in the second gaming event.

13. (AMENDED) An apparatus for playing a video wagering game comprising a housing, a memory system, and a monitor, the memory system directing a process comprising, not necessarily in sequence:

- a) accepting a wager on a reel-slot-type video game;
- b) displaying a plurality of randomly selected game symbols on a display, each symbol appearing in a designated symbol position;

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c) upon the occurrence of a predetermined triggering event, randomly selecting at least one but fewer than all symbol positions as [a] wild symbol positions

d) converting each symbol displayed within each selected wild symbol position to a wild symbol; and

e) determining game outcomes based on the displayed game symbols and wild symbols within a single game event.

14. The apparatus of claim 13 wherein after step b) and before step d), a game using the randomly selected game symbols on a display is resolved.

15. (AMENDED) A method of playing a video wagering game with a bonus feature, comprising:

a player placing a wager on a reel-slot-type video game having a plurality of symbol positions;

displaying a plurality of randomly selected game symbols on a display, each symbol appearing in a designated symbol position;

addressing any winning events by a procedure selected from the group consisting of a) resolving any winning events, b) carrying any winning events forward for later resolving, and c) carrying any winning events forward for modification of the winning event by a bonus play; upon the occurrence of a predetermined triggering event for a bonus event, randomly selecting at least one and fewer than all of said plurality of symbol positions as a wild symbol position;

converting each symbol displayed within each selected wild symbol position to a wild symbol; and

determining a bonus outcome based on the displayed game symbols and wild symbols within the gaming event.

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16. The method of claim 15 wherein any winning event from displaying a plurality of randomly selected game symbols on a display are resolved before determining a bonus outcome based on the displayed game symbols and wild symbols.

17. The method of claim 15 wherein any winning event from displaying a plurality of randomly selected game symbols on a display are resolved after determining a bonus outcome based on the displayed game symbols and wild symbols.

18. The method of claim 15 wherein any winning event from displaying a plurality of randomly selected game symbols on a display are resolved at about the same time as determining a bonus outcome based on the displayed game symbols and wild symbols.

19. The method of claim 1, wherein the maximum number of viewable positions is 15.

20. The method of claim 1, wherein an appearance of the wild symbol changes to another game symbol at or before game outcomes are determined.

21. The method of claim 1, wherein the wild symbols are wild as to fewer than all of the game symbols.

**RESPONSE AND COMMENTS ON THE REJECTIONS****The Rejection Based on Bennett 6,089,977**

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There is a significant difference between the play recited in the claims and the process described by Bennett 977. In the claims, in comparison with the teachings of the 977 Patent, the claims recite that:

“...upon the occurrence of a predetermined triggering event, randomly selecting between zero and fewer than a maximum number of viewable symbol positions as a wild symbol position;”

The '977 patent requires that **all** symbol positions be designated wild, one at a time, and that they be designated in a certain order, along the path shown in Figure 3. The recitation of “fewer than a maximum number of viewable symbols” in claim 1 distinguishes over the '977 reference. The present claim 1 limitation cannot allow all viewable symbols to be wild symbols, while the 977 Patent requires all symbols (each separate symbol position) to be wild, one at a time. Claims 1-17 and 19-21 are neither anticipated nor obvious over the teachings of the 977 Patent.

The 013 patent is distinguished for the same and different reasons, except that the argument of a 'single event' does not apply to claim 12, which is separately distinguished. There are numerous different methods and alternatives described in the 013 Patent, and each must be distinguished. The present claims will be compared to the individual examples (referred to by the Example and Number) given for alternatives in the 013 Patent. In example 1, a certain symbol is designated as wild. We designate symbol positions within the display as a wild position, which can include any or all types of game symbols. When two or more wild positions are selected, the symbols in the selected wild positions may be different symbols or the same positions. At no time is a specific symbol selected to be wild. That limitation is already in the claim ...”randomly selecting...viewable symbol positions”.

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In example 2, a single symbol is selected and is given a "scatter" function. In this instance, it is again a symbol, rather than a symbol position, that is designated.

In example 3, two different symbols are selected and the positions are swapped prior to scoring. Once again, symbols are selected, symbols are swapped, and there are no symbol positions that are selected and designated as wild.

In a 4<sup>th</sup> example, a wheel with special symbols appears on the screen, and all symbols are designated "special". Although the manner of scoring in this example is not clear, the random number generator is selecting a symbol, rather than a symbol position. It is clearly a general symbol that is selected, not a specific symbol position on the reel or screen.

In the 5<sup>th</sup> example, a row or column is randomly chosen, and all symbols appearing in that row or column are designated wild IN ANOTHER GAME. A win in the designated row or column enhances the payout in the next game. The present claims have been amended to recite that the selection of symbol positions enables game outcome determination in the same game event, while this embodiment of Bennett requires that wild symbols be used in subsequent game play.

In contrast, we are randomly selecting symbol positions to designate as wild IN THE SAME GAME. The claims have been amended to recite the language "in the same game event" to clarify this position.

With regard to claim 12, a separate argument can be made. In the 013 reference, the selected line or column in the next game doesn't really act like a wild symbol. In scoring the game of example 5 (of Bennett 013), the player uses the normal game symbols. If a normal symbol combination appears anywhere in the designated line or row, the player gets an enhanced payout. The method of play does not increase the probability of getting more combinations, it just increases the possible payout. The claim, as revised, distinguishes over this art in